# Application Ref: NP/13/0460

Application Type

Full

Grid Ref:

SM85771264

Applicant

Mr & Mrs K & R Holmes

Agent

Mr Andrew Vaughan-Harries, Hayston Development &

**Planning** 

Proposal

Dormer cottage

Site Location

Plot 1, Off Blockett Lane, Little Haven, Haverfordwest,

Pembrokeshire, SA62 3UH

Case Officer

Vicki Hirst

# **Summary**

This is a full application for a single dwelling at Plot 1 off Blockett Lane, Little Haven. It lies in the open countryside to the eastern side of Blockett Lane. The proposal has been carefully considered against all material considerations and the relevant national and local development plan policies. On balance the application is recommended for refusal for two reasons. The first is that the proposal would be harmful to the special qualities of the National Park, whilst the second is that the proposal fails to provide affordable housing dwellings on site in accordance with Policy 45.

The application has been referred to the Development Management Committee at the discretion of the Head of Development Management due to the history of the site.

# Consultee Response

Coal Authority: Standard Advice

The Havens Community Council: General support but concerns about removal of hedge and feel that possible flood issues should be addressed.

Dwr Cymru Welsh Water: Conditional Consent

PCC - Common Land Officer: No objection

**PCC - Education Dept**: No primary or secondary school contributions are required.

PCC - Head of Public Protection: Conditional Consent

PCNPA Conservation Officer: No adverse comments

Waste & Recycling Manager - PCC: No adverse comment

## Public Response

The application has been advertised and neighbour notifications undertaken. Responses from four households have been received making the following comments:-

The application is not substantially different to that refused before

- Objection to the creation of a new access when there is a perfectly adequate one existing that can be used;
- The new access would result in the loss of a 200 year old hedge and ruin the character of the lane;
- Removing trees and increasing areas of hard landscaping would increase flooding in an area where drains cannot cope;
- There is a "strange wall" at the south-east of the boundary to Plot 1 that serves no useful purpose. It is an eyesore and should be removed;
- Whole site is within one ownership and it has been split into four to avoid providing affordable housing on site;
- Site is used as a dump.
- One letter provides support on the grounds that the history allowed for the re-development of the site and the current site is an unfavourable introduction to Little Haven and is an untidy mess.

# Policies considered

Please note that these policies can be viewed on the Policies page Pembrokeshire Coast National Park website - <a href="http://www.pembrokeshirecoast.org.uk/default.asp?PID=549">http://www.pembrokeshirecoast.org.uk/default.asp?PID=549</a>

LDP Policy 01 - National Park Purposes and Duty

LDP Policy 07 - Countryside

LDP Policy 08 - Special Qualities

LDP Policy 09 - Light Pollution

LDP Policy 11 - Protection of Biodiversity

LDP Policy 15 - Conservation of the Pembrokeshire Coast National Park

LDP Policy 29 - Sustainable Design

LDP Policy 30 - Amenity

LDP Policy 32 - Surface Water Drainage

LDP Policy 33 - Renewable Energy

LDP Policy 45 – Affordable housing

LDP Policy 48 - Community Facilities and Infrastructure Requirements

LDP Policy 52 - Sustainable Transport

LDP Policy 53 - Impacts on traffic

PPW5 Chapter 04 - Planning for Sustainability

PPW5 Chapter 05 - Conserving and Improving Natural Heritage and the Coast

PPW5 Chapter 06 - Conserving the Historic Environment

PPW5 Chapter 08 - Transport

PPW5 Chapter 09 - Housing

PPW5 Chapter 12 - Infrastructure and Services

PPW5 Chapter 13 - Minimising and Managing Environmental Risks and Pollution

SPG04 - Planning Obligations

SPG06 - Landscape

SPG08 - Affordable Housing

SPG11 - Coal Works - Instability

SPG12 - Parking

SPG13 - Archaeology

SPG14 - Renewable Energy plus Addendum on Field Arrays

TAN 02 - Planning and Affordable Housing

TAN 05 - Nature Conservation and Planning

TAN 06 - Planning for Sustainable Rural Communities

TAN 08 - Renewable Energy

TAN 12 - Design

TAN 18 - Transport

TAN 22 - Planning for Sustainable Buildings

## Officer's Appraisal

This is a full application for a single dwelling at Plot 1 off Blockett Lane, Little Haven. It lies in the open countryside to the eastern side of Blockett Lane. The larger site was originally a turkey farm, and occupies an elevated position overlooking the village of Little Haven. The land has now been cleared with concrete bases, gravelled and grassed areas present on site. To the south there are two new large detached houses and their associated access off Blockett Lane. To the north of this new access and separated from it by a concrete block wall which abuts the highway, is an existing access into the cleared area to the north. Plot 1 lies to the immediate north of the existing access, and is raised above the level of the public highway by approximately a metre. Bordering this Plot, the hedgerow running along the highway verge has been severely trimmed.

The Plot is part of a larger site that was originally designated as an Environmental Improvement Area under the Local Plan. This stated that development may be permitted providing that the former poultry farm had been entirely removed and the site restored to an appropriate condition providing that the development did not conflict with other Local Plan Policies. Supplementary Planning Guidance to the Local Plan was also prepared for the site. However, with the current Local Development Plan the designation of the site as an Environmental Improvement Area was removed and it is now considered as being a brownfield site in the open countryside.

The development of the larger site has been separated into three areas. The southernmost area has been developed for two large contemporary designed houses. The land to the north has full planning permission for six dwellings: a terrace of three and three detached houses with 3 of the total provision being affordable housing. The remaining land (the central part of the site) has been the subject of four separate planning applications for single houses on

four individual plots. An application in relation to Plot 1 was refused at the Development Management committee on 19<sup>th</sup> June 2013 on the grounds that the proposal would result in the loss of existing hedgerow which taken together with the cumulative impact of existing and other proposed accesses in the vicinity results in an unsympathetic siting within the landscape. The proposal also comprised a part of a larger site where provision of affordable housing would be sought and this was not offered on the site, contrary to adopted policy. Furthermore the proposal resulted in a proliferation of accesses where visibility is restricted and with no refuge for vulnerable road users. The parking spaces also resulted in vehicles manoeuvring within the highway to the detriment of highway safety and development plan policy. (NP/12/0477).

#### **Constraints**

The site lies within the open countryside over a Coal Standing Advice Area, and within a Military Safeguarding Zone.

# **Relevant Planning History**

- NP02/189 (Approximately Plots 4 and 3) Outline application for two dwellings – Refused 20<sup>th</sup> June 2002 – Appeal allowed 11<sup>th</sup> December 2002
- NP04/586 5 dwellings Refused 29<sup>th</sup> November 2004
- NP05/357 (Approximately Plots 4 and 3) Outline for 3 dwellings -Approved 8<sup>th</sup> March 2006
- NP05/628 (Approximately Plots 4 and 3) Outline for 2 dwellings -Approved 24<sup>th</sup> January 2006
- NP08/337 (Plot 3) Reserved matters application for single dwelling Withdrawn 12<sup>th</sup> September 2008
- NP08/392 (Plot 4) Reserved matters application for single dwelling Withdrawn 19<sup>th</sup> September 2008
- NP10/511 (land to the north of the site) 6 dwellings Permission 28<sup>th</sup> November 2011
- NP/12/0477 (Plot 1) Construction of dormer cottage Refused 19<sup>th</sup> June 2103
- NP12/0478 (Plot 2) Construction of dormer cottage Refused 19<sup>th</sup> June 2013
- NP12/0479 (Plot 3) Construction of dwelling and detached garage Refused 22<sup>nd</sup> May 2013
- NP12/0480 (Plot 4) Construction of single dwelling Refused 19<sup>th</sup> June 2013
- NP/13/0461 (Plot 2) Construction of dormer cottage Live
- NP/13/0462 (Plot 3) Construction of dwelling and detached garage (revised design) – Live
- NP/13/0463 (Plot 4 ) Construction of dwelling Live

## **Current Proposal**

The current application again seeks full planning permission for a single dwelling to the north of the existing site access. Three other applications for single dwellings have been received for Plots 2, 3, and 4 (applications NP/12/0461, NP/13/0462 and NP/13/0463 respectively). The proposed dwelling would be located over the existing access track to the site, with access taken from a new access to the north of the proposed dwelling. This access and associated road would also service Plots 2, 3, and 4 and parking for the dwelling would be accessed from the new service road.

The proposed dwelling would be a one-and-a-half storey dwelling orientated to overlook the existing public highway. At its maximum dimensions it would measure approximately 14.0m x 8.5m x 6.5m, and would be constructed of painted smooth render under a slate roof, with solar panels to the single storey sunroom located on the southern elevation of the dwelling. A timber garden shed would be located in the north-eastern corner of the site. As the proposed dwelling would be excavated into the existing land to have a finished floor level of 36.25 metres above sea level (existing levels are 37.45 metres), a retaining wall of approximately 1.7m in height with a grass bank above would be provided to the rear of the house. Tree planting is proposed to the northern and eastern boundaries, with a hedgerow delineating the property's front garden. The dwelling would be connected to the main sewer and surface water would be disposed of via a soakaway. The plot layout and design are similar to those submitted under application NP/12/0477 with the exception that access is now taken from the new service road rather than a new access directly from the new highway and part of the existing access to the south of the proposed dwelling is removed and incorporated into the plot. The remainder of this access is in separate ownership and would remain to serve the two existing properties to the south.

The application has been submitted with the following supporting information:-

- A Planning Report incorporating a Design and Access report and offer of £18,450 (on the basis of £150 per square metre) as a contribution to affordable housing under Policy 45 of the Local Development Plan
- A Transport Statement;
- A Planting Schedule;
- A Code 3 Pre-Assessment, concluding that the house would meet Level 3.

#### **Key Issues**

The application raises the following planning matters:-

- Principle of the development;
- Impact on the special qualities of the National Park;
- Affordable housing matters;
- Community infrastructure requirements;
- Sustainable design;

- Highways matters;
- Landscaping;
- Archaeological matters;
- The water environment and drainage matters;
- Contaminated land matters;
- Electricity supply matters;
- Coal Referral Area matters;
- Ministry of Defense Safeguarding matters:
- Neighbouring amenity matters;
- Enforcement matters.

## Principle of the development:

The proposed dwelling lies in the open countryside overlooking the village of Little Haven which lies in the valley below to the north and west. As referred to in the sections above, this site and those surrounding it, have a complex planning history, including a policy framework that once allowed the redevelopment of this site.

Although two dwellings have been built on the southern part of the site, whilst there is an extant planning permission for a further six dwellings to the north (NP10/511), this application must to be determined under the current adopted Development Plan policy and this means that it has to be considered as a new dwelling in the open countryside. Policy 7 of the Local Development Plan makes it clear that new residential development in the open countryside is only acceptable if it is essential for farming or forestry needs. This is not the case with this application and so it has been advertised as a Departure to the adopted Local Development Plan.

In addition to considering the application under the policies of Local Development Plan, Welsh Government guidance also requires that all applications are considered in light of all relevant material considerations. In this case, planning permission NP10/0511 is material in that it permitted 6 dwellings contrary to the provisions of the Local Development Plan. The decision to permit this scheme was justified by it having been previously identified in the Local Plan as an Environmental Improvement Area. It was felt that the proposal allowed the redevelopment of the site to provide environmental enhancements to the area through extensive landscaping, and that it contributed to affordable housing provision required under Policy 45 (ie three of the six dwellings were proposed as affordable houses). Because of this it was concluded that the development of the site offered an opportunity to secure environmental improvements on the site and to provide affordable housing for local needs.

The current application proposes both environmental enhancements (ie landscaping), and a financial contribution towards affordable housing. Notwithstanding the merits of these particular characteristics of the development which will be discussed later in this report, the principle of the site's development is therefore considered to be the same as that established

in 2010, and therefore no objection can be raised to the application proposing a dwelling in the open countryside.

Impact on the Special Qualities of the National Park:

As discussed in the paragraphs above, one of the reasons that the 2010 application to the north of the site was considered acceptable was because of extensive landscaping the scheme proposed. The current proposal for a single dwelling needs to be considered together with the existing dwellings built and permitted on the site, plus those proposed under the live applications NP/13/0461, 0462 and 0463 all of which are material considerations.

Policies 8, 15, 29, and 30, in particular in the adopted Local Development Plan seek to protect the special qualities of the National Park, including the pattern and diversity of the landscape and villages. The proposed dwelling for Plot 1 is for a traditionally designed one-and-a-half storey dwelling constructed from traditional materials. Subject to conditions controlling the details of the design and materials of the proposed dwelling, it is not felt to harm the special qualities of the National Park in terms of design. However, the dwelling does appear somewhat cramped on the site and provides little private amenity space. It is considered that this is unfortunate and results in a cramped form of development. In addition, the proposed dwelling does not use the existing access into the site, but will be accessed from a new service road to the north of it. In addition the three other dwellings proposed to the north of it, would be serviced by this same road bordering the north of the Although it is accepted that this application includes some improvements to the access to the south of the site, the fact remains that the overall site would be serviced by three separate accesses. The new access would necessitate the removal of a length of existing hedgerow (which has been retained in the 2010 permission) and substantial excavation and alteration of the banking that the hedgerow is planted upon to facilitate the new access road and required visibility splays. It is your officers view that the impact of this access, combined with those existing (albeit slightly improved to the south) would be to transform the rural character of Blockett Lane into one dominated by residential development with a succession of accesses coming off it to serve the new and existing development. As a result of the above matters it is felt that the proposal is harmful to the special qualities of the National Park in that it fails to harmonise with the landscape character of the area, and results in the loss of important traditional features. This forms the first reason for refusal.

#### Affordable Housing Matters:

Policy 7 of the Local Development Plan states that where residential development is acceptable, affordable housing provision will take priority. Policy 45 states that "To deliver affordable housing the National Park Authority will as part of the overall housing provision" require under caveat (c) that "where affordable housing need has been identified prioritise affordable housing provision in countryside locations through filling in or rounding off or through conversion. 50% affordable housing to meet an identified need in developments of 2 or more residential units will be sought." Footnote 145 of the Local Development Plan explains that "where a planning application is

received for a site below the affordable housing threshold but which is part of a larger site which is above the threshold then the Authority will expect affordable housing to be provided. This is to ensure that sites are not broken up into smaller portions and phased which would avoid the requirement for affordable housing."

This application has been submitted with the offer of the provision of a financial contribution of £18,450 in accordance with the £150 per square metre requirement for single dwellings as prescribed in the Adopted Affordable Housing Supplementary Planning Guidance. No unilateral undertaking to this effect has been provided with the application. The applicant's agent contends that this is the appropriate way to provide affordable housing for this site as the site is in four individual ownerships and has been since 2010, the site is inappropriate for affordable housing due to the road having no pavement to get to the village, the access has constraints, Little Haven has few community facilities and the site has expensive delivery costs which affect viability (although no assessment has been done through the "3 Dragons" toolkit).

It is clear that Plot 1 of the site is part of a larger development site part of which already has permission including on site affordable housing. application was a single dwelling that was not part of a larger site, then the offered figure would be acceptable under the Policy requirements of the Local Development Plan. Footnote 145 of the Local Development Plan makes it clear that where large sites are being split or phased to avoid providing the 50% affordable housing requirement, delivery should be provided on site. In this case there are four separate applications for single dwellings subdividing this large site. Land ownership is not a material planning consideration: different ownership of the land does not negate the large site affordable housing requirements generated by Adopted Local Development Plan Policy. Under the terms of Policy 45, this means that two of them should be affordable units. In addition it is not considered that the site is inappropriate for affordable housing (as demonstrated by the granting of consent for there affordable houses on the part of the site to the north), and no viability case has been presented. As such, the provision of a commuted sum is contrary to policy in this case, and as no affordable dwellings are proposed with any of these four applications, the proposal is contrary to Adopted Development Plan Policy. This forms a second reason for refusal, as it did on the comparable applications previously refused by the Authority.

## Community Infrastructure Requirements:

Policy 48 of the Local Development Plan states that planning permission will be granted for proposals that have made suitable arrangements for the improvement or provision of infrastructure, services and community facilities made necessary by the development. Adopted Supplementary Planning Guidance on Planning Obligations states that the thresholds for infrastructure contributions will be required where there is a net gain of three of more dwellings. In this particular instance four applications have been submitted seeking to develop four detached houses on this large site. As a result the four applications therefore require public open space, education, libraries, and

recycling and waste contributions. The relevant sections responsible for these services have been consulted and no contributions have been requested at the time of writing the report (with Education and Waste sections confirming that no contributions are required). Any further requirements will be reported verbally at the meeting.

The applicant has however stated within the application's Planning Statement that a further contribution to services and infrastructure will be provided depending on the viability of the project. As a result, if permission was to be recommended, it would be subject to a legal agreement for the required financial contributions. It should be noted that in making this offer the applicant's agent accepts that the development comprises a development of three or more dwellings rendering it liable for these payments, despite his contention that the site does not comprise a large site in respect of affordable housing.

## Sustainable Design Matters:

Both national and local Development Plan Policy requires sustainable design. Policy 29 of the Local Development Plan expects all proposals for development to demonstrate an integrated approach to design and construction, whilst Policy 32 requires sustainable drainage systems for the disposal of surface water. The application has been supported by a Code for Sustainable Homes Pre-Assessment Report. This states that the dwellings will meet a Code Level 3 rating. Subject to the standard conditioning requiring compliance with these levels, the proposal is acceptable in terms of the sustainable requirements of national and local Policy requirements.

## Highways Matters:

Policies 52 and 53 of the Local Development Plan refer to traffic impacts of proposed development. The application has been supported with a Transport Statement. The applicant's agent has also been in discussion with the Highways Department following the previous refusal on highway grounds but at the time of writing the report, no response had been received from the County's Highways Section. As a result, no assessment can be made as to the highways merits of the proposal. An update will be given at the meeting.

## Landscaping:

The elevated location of the site means that it is very visible in the wider landscape, including from the Coast Path. Although the application proposes a new hedgerow to the front of the site, including improving the existing entrance point, plus further tree planting to its rear and northern boundary, this is not felt to be sufficient to mitigate the change in character of the area as discussed in the sections above. This is particularly so because of the removal of the existing hedgerow that defines the eastern edge of Blockett Lane. For the reasons discussed above, it is not felt that the proposed landscaping is sufficient to ameliorate the change of character of the area or the loss of the existing hedgerow, or make the environmental improvement requirements of developing this site, contrary to adopted plan policies.

# Archaeological Matters:

Policy 8 of the Local Development Plan seeks to protect the special qualities of the National Park including the protection and enhancement of the historic environment. One of the concerns with the 2010 permission was that the hedgerow bordering the eastern edge of the Lane is a Historic Hedgerow, which is of importance in both historic and ecological terms. Dyfed Archaeological Trust has previously taken the view that the hedge predates the Enclosure Act of 1845 and that it is therefore historically significant. As a result the Dyfed Archaeological Trust was consulted on this application and its proposed removal. Its response has not been received at the time of writing this report, but the trust has previously advised in respect of NP/12/0477 that it raised no issues and as a result no archaeological objection can be raised to this proposal.

# The Water Environment and Drainage Matters:

Policy 32 of the Local Development Plan requires development to incorporate sustainable drainage systems for the disposal of water on site. The proposed dwelling would be linked to the main sewer whilst surface water would go to a soakaway. Both Natural Resources Wales and Welsh Water have been consulted on the application. The former have yet to comment but raised no objection to the principle of the development, subject to conditions concerning contaminated land conditions, surface water management, and permeable paving in respect of the previous application NP/12/0477. As regards Welsh Water, they too have raised no objection to the proposal, subject to the satisfactory drainage of the site.

## Contaminated Land Matters:

Chapter 13 of Planning Policy Wales (Edition 5) states that planning decisions need to take into account the potential hazard that contamination presents to the development, its occupants and the local environment, and whether any mitigation measures are needed. In view of the previous agricultural use of the site, the County Council's Public Protection Section was consulted to ascertain whether residential development on the site was acceptable in terms of any contaminated land matters that the proposal raised. This could come from both the previous use and the demolition material on site. They raised no objection in principle to the proposal subject to a condition concerning a survey of the site be undertaken if evidence of contamination is found on site.

## Electricity Supply Matters:

The larger site is traversed by electricity power lines, and in particular Plots 3 and 4 would be affected by them. Western Power Distribution has previously advised that there is no objection to Plots 1 and 2.

#### Coal Referral Area Matters:

The site lies in a Coal Standing Advice Area, whereby Planning Policy Wales confirms that the responsibility for determining the extent and effects of unstable ground remain with the developer, and that the responsibility and subsequent liability for safe development and secure occupancy of the site rests with the developer and / or landowner (paragraphs 13.8.3 and 13.9.2

respectively). The Coal Authority is a statutory consultee for development within defined coal mining areas, and there is a duty on the National Park Authority to consider ground stability issues when determining applications within these areas. The Coal Authority have raised no objection to the proposal, apart from requiring its Standing Advice as an informative on any planning permission.

# Ministry of Defence Safeguarding Matters:

The site lies within a Ministry of Defence (MoD) Safeguarding Zone, and the MoD have been consulted to ascertain their views of the proposal. At the time of writing the report there had been no response from them.

## Neighbouring Amenity Matters:

Policy 30 of the Local Development Plan refers to amenity in a general sense, seeking to avoid incompatible development and significant adverse impact upon the amenity enjoyed by neighbouring properties. The nearest residential property is to the east of the plot, on higher land, so that it would look down onto Plot 1. In view of this situation it is not felt that the proposed dwelling would result in any loss of amenity to the existing residential properties adjoining the site.

#### Conclusion

The proposal has been carefully considered against all material considerations and the relevant national and local development plan policies. On balance the application is recommended for refusal for two reasons. The first is that the proposal would be harmful to the special qualities of the National Park, whilst the second is that the proposal fails to provide affordable housing dwellings on site in accordance with Policy 45.

At the time of writing this report there were several outstanding consultee responses and any issues raised will be reported verbally at the meeting.

## Recommendation

That the application be refused for the following reasons:-

Policies 8, 15, 29 and 30 of the Pembrokeshire Coast National Park Local Development Plan seek to protect and enhance the pattern and diversity of the landscape, prevent development that fails to harmonise with or enhance the landform and landscape character of the National Park, that fails to incorporate important traditional features, and that is insensitively and unsympathetically sited within the landscape and visually intrusive. proposed access for the dwelling, the resulting loss of existing hedgerow and related banking, and the cumulative impact of existing and the proposed access to the site, results in the loss of a traditional landscape feature and the character of the area. and is therefore insensitively unsympathetically sited within the landscape. Furthermore, the proposed dwelling has limited private amenity space resulting in a cramped appearance at odds with the rural nature of the site. As such the proposal is considered to

be harmful to the special qualities of the National Park and contrary to Adopted Development Plan Policy.

2. Policies 7 and 45 of the Pembrokeshire Coast National Park Local Development Plan require the provision of 50% affordable housing to meet the identified need in developments of 2 or more units. Footnote 145 of the Local Development Plan states that where a planning application is received for a site below the affordable housing threshold but which is part of a larger site which is above the threshold then affordable housing will be expected. The application forms part of a large site on which 50% provision of affordable housing will be sought. As neither this application nor the others submitted on the remainder of this large site proposes the required two affordable dwellings, the proposal is considered contrary to Adopted Development Plan Policy.











